

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

TERESSA JANETTE GALLEGOS,
Individually and as Personal Representative
of the ESTATE OF JOSEPH ORAN VAN
WINKLE, Deceased; and MARY ANN
VAN WINKLE,

Plaintiffs,

vs.

No. CIV 13-1055 JB/KBM

MAUREEN WOOD, M.D.,
MEDICAL DOCTOR ASSOCIATES, LLC;
and the UNITED STATES OF AMERICA,

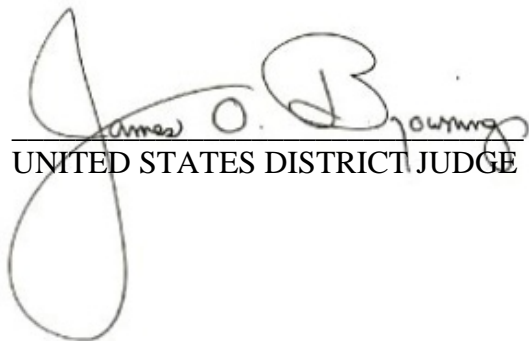
Defendants.

FINAL JUDGMENT

THIS MATTER comes before the Court on: (i) the Agreed Order Dismissing with Prejudice Claims Regarding Dr. Quintana and the Pharmacists that Attended Rounds with Defendant Wood at 1-2, filed February 6, 2017 (Doc. 249)(“Quintana/Pharmacists Order”); (ii) the Order of Dismissal with Prejudice at 1, filed May 30, 2017 (Doc. 256)(“Wood/Medical Associates Order”); and (iii) the Court’s Memorandum Opinion and Order, filed August 25, 2017 (Doc. 257)(“Third MTD MOO”). In the Quintana/Pharmacists Order, the Court dismissed with prejudice the Plaintiffs’ negligence claim against Defendant United States of America, to the extent that claim is premised on allegations that the United States is responsible for the negligence of Dr. Christopher Quintana and an unnamed pharmacist who accompanied Defendant Dr. Maureen Wood, M.D. on her daily rounds of patients at the Raymond G. Murphy Veterans Affairs Medical Center in Albuquerque, New Mexico. See Quintana/Pharmacists Order at 1-2. In the Wood/Medical Associates Order, the Court dismissed with prejudice all claims against Wood and Defendant Medical Doctor Associates, LLP. See Wood/Medical Associates Order at 1. Finally, in the Third MTD MOO, the Court dismissed for lack of subject-matter jurisdiction any negligence claim that Wood may assert against the United States

based on an allegation that an outpatient pharmacist failed to follow internal VA pharmacy protocols in filling prescriptions that Wood ordered for Joseph Oran Van Winkle upon his discharge from the Albuquerque VA's emergency department on May 13, 2012. See Third MTD MOO at 87. Having disposed of all issues, claims, and parties before the Court, the Court now enters Final Judgment and dismisses this case.

IT IS ORDERED that (i) Final Judgment is entered; (ii) the Plaintiffs' negligence claim against Defendant United States of America is dismissed with prejudice; (iii) the Plaintiffs' claims against Defendants Wood and Medical Doctor Associates, LLP are dismissed with prejudice; (iv) any negligence claim that Defendant Dr. Maureen Wood, M.D. may assert against the United States is dismissed without prejudice; and (v) this case is dismissed.



UNITED STATES DISTRICT JUDGE

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